

I, Rajendra D. Badgaiyan state under solemn oath the following in reference the plaintiff's opposition to the motion for summary judgment filed by defendants President and Fellows of Harvard College:

1. During the training period, I never absented without authorization. I never received any letter or communication regarding unauthorized absence, and received full salary during the entire training period (except when I was on authorized sick leave).

2. I had only 5 or 6 two-hour supervision with Dr Osser in my 4 years' training. During these supervisions I assisted him with treatment of 3 or 4 patients (out of several hundred of patients I treated during the training) . One of them gave a letter of appreciation to Dr Osser and Dr Mushrush (Mushrush depo 185). He told me that he had seen several psychiatrists but I was the only one who was able to treat his symptoms. He insisted on continuing treatment with me after my rotation was over. For another patient I pointed out that Dr Osser had made a wrong diagnosis. Dr Osser accepted his mistake (records available). At the end of rotation Dr Osser told me that he is very happy with my performance, which according to him was above average to outstanding. He also mentioned that Dr Mushrush told him that I am not a good clinician. None of the problems mentioned in Dr Osser's evaluation was ever shown or discussed with me. I do not believe that they are accurate. Finally, I never had a 2-week rotation with Dr. Osser in Taunton State Hospital and was surprised by the negative evaluation produced by the defense for this rotation (VA0130).

2. I created and designed a web pages for the Harvard South Shore Psychiatry Residency Training Program because I was told that I will not be allowed to graduate until I do this job. Since I was not trained in web design, it took me several hundred hours to design web pages. Even though I submitted the design to Dr. Mushrush, I believe they were never put on a server.

3. None of the adverse comments of my supervisors was shown to me during my entire training, despite my repeated requests (Exhibit A1 and A2). I was also not given an opportunity to explain my position.

4. I was not invited to receive diploma in the commencement ceremony of the program held in 2003, even though every body else who graduated in 2003 was invited to receive their diplomas in this ceremony.

5. The incidence has not been accurately reported in this paragraph.

6. I felt insulted and humiliated by the comments of Dr. Mushrush regarding physicians of Indian origin.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY:

/s/ Rajendra Badgaiyan, M.D.

RAJENDRA BADGAIYAN, M.D.

December 29, 2006

